

2013 DRAFTING REQUEST

Assembly Amendment (AA-AB683)

Received: 2/6/2014 Received By: mglass
Wanted: As time permits Same as LRB:
For: Thomas Larson (608) 266-1194 By/Representing: Matt Pulda
May Contact: Drafter: mglass
Subject: Buildings/Safety - lic and reg Addl. Drafters:
Extra Copies:

Submit via email: YES
Requester's email: Rep.Larson@legis.wisconsin.gov
Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Telecommunication exemption

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mglass 2/6/2014			_____			
/P1	mglass 2/10/2014	kfollett 2/7/2014	rschluet 2/7/2014	_____	lparisi 2/7/2014		
/1		kfollett 2/10/2014	jfrantze 2/10/2014	_____	mbarman 2/10/2014	mbarman 2/10/2014	

FE Sent For:

<END>

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FE Sent For:		1/1/5F 2/10		_____	_____		

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/?	mglass	1P/15F 2/7	1P/15F 2/7				

FE Sent For:

<END>

Gibson-Glass, Mary

From: Pulda, Matt
Sent: Wednesday, February 05, 2014 3:39 PM
To: Gibson-Glass, Mary
Cc: DISCH, KENT (kd073n@att.com); VerVelde, Rachel; CHORZEMPA, DAVID J (Legal) (dc1928@att.com)
Subject: FW: Electrician Language for AT&T

Hi, Mary,

Would you please draft an amendment to AB 683 that revises 101.862(4)(f) along the lines of the outlined language below (in bold)?

Please let me know if you have any questions or concerns. Feel free to contact Kent directly if that would be helpful.

Thanks!

Matt

From: CHORZEMPA, DAVID J (Legal) [mailto:dc1928@att.com]
Sent: Wednesday, February 05, 2014 12:43 PM
To: DISCH, KENT; Pulda, Matt
Cc: VerVelde, Rachel
Subject: RE: Electrician Language for AT&T

Just for clarification, the added language would only exempt a certificated telecom provider that is defined as someone providing voice that also provides information services (us, cable guys). The point is that the facilities are housed together and often run over the same facilities. There is a definition of telcom provider in chapter 196 you might want to reference (don't have it here, snowed in at home) and there is also a definition of information service in 47 USC 151 paragraph twenty something I believe.

DJC

DJC

From: DISCH, KENT
Sent: Wednesday, February 05, 2014 12:37 PM
To: Pulda, Matt; CHORZEMPA, DAVID J (Legal)
Cc: VerVelde, Rachel
Subject: RE: Electrician Language for AT&T

OK...Matt, your point was well taken. We don't want to mess with the definition of transmission facility...so here is another shot, this time adding the information services only to 101.862 (4)(f)

(f) A person engaged in installing, repairing, or maintaining electrical wiring of either transmission facilities, as defined in s. 196.01(12), or facilities supporting telecommunications or information services provided by a telecommunications provider.

From: Pulda, Matt [mailto:Matt.Pulda@legis.wisconsin.gov]
Sent: Wednesday, February 05, 2014 12:17 PM

To: DISCH, KENT; CHORZEMPA, DAVID J (Legal)

Cc: VerVelde, Rachel

Subject: RE: Electrician Language for AT&T

Hi, Kent,

Thank for sending this. My one concern is whether changing the definition in 196.01, as opposed to adding something to 101.862(4)(f) or including a separate exemption under (4), would have a bunch of consequences outside of the electrician issue that might hinder getting AB 683/SB 545 passed.

Thanks!

Matt

From: DISCH, KENT [<mailto:kd073n@att.com>]

Sent: Wednesday, February 05, 2014 12:03 PM

To: CHORZEMPA, DAVID J (Legal)

Cc: Pulda, Matt; VerVelde, Rachel

Subject: Electrician Language for AT&T

Dave, Matt and Rachel-

As we've discussed...

Currently, our employees are exempted by s. 101.862(4)f which reads:

(f) A person engaged in installing, repairing, or maintaining electrical wiring of transmission facilities, as defined in s. 196.01(12).

The definition in s. 196.01(12) reads:

(12) "Transmission facility" means any plant or equipment used to carry telecommunications services by wire, optics, radio signal or other means.

This definition limits our employee exemption to traditional voice service. As you know, AT&T and other telcos provide other services over the same network (Internet, video, VOIP, etc).

In order to make sure that our employees are exempt for all services provided on our network, I would suggest the following change to 196.01(12)

(12) "Transmission facility" means any plant or equipment used to carry telecommunications or information services by wire, optics, signal or other means.

Dave...can you confirm that this language meets our needs?

Thanks!

Kent Disch

Director of Legislative Affairs

AT&T Services

office- 608-282-7874

cell--608-609-4561

Gibson-Glass, Mary

From: Kunkel, Mark
Sent: Wednesday, February 05, 2014 4:50 PM
To: Gibson-Glass, Mary
Subject: Section 101.862 (4) (f)

Mary:

To achieve your intent, you might amend s. 101.862 (4) (f) as follows:

101.862 (4) (f) A person engaged in installing, repairing, or maintaining electrical wiring of ~~transmission~~ facilities, ~~as defined in s. 196.01 (12), 2011 stats that support telecommunications service, as defined in s. 182.017 (1g) (cq), that is provided by a telecommunication provider, as defined in s. 196.01 (8p).~~

Note that "telecommunication service" is defined in s. 182.017 (1g) (cq) to include voice, data, or information. However, "telecommunications provider" is defined in s. 196.01 (8p) to be limited to voice communication. As a result, the exemption in s. 101.862 (4) (f), as amended above, would only apply to a person who provides voice communication service, but such a person would be covered under the exemption for working on facilities that support voice, data, or information service.

Also note that the text of s. 101.862 (4) (f) above is shown as affected by 2013 AB 595, which has passed both houses and is awaiting action by the governor. That bill repeals s. 196.01 (12) and adds a reference to 2011 stats. in s. 101.862 (4) (f).

--Mark



State of Wisconsin
2013 - 2014 LEGISLATURE



LRBa1653/P1
MGG:.....

D-N Friday

EMOK: jf

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION
ASSEMBLY AMENDMENT,
TO ASSEMBLY BILL 683**

1 At the locations indicated, amend the bill as follows:

2 1. Page 6, line 22: after that line insert:

3 "SECTION 12m. 101.862 (4) (f) of the statutes as affected by 2013 Wisconsin Act
4 125, is amended to read:

5 101.862 (4) (f) A person engaged in installing, repairing, or maintaining
6 electrical wiring of ~~transmission~~ facilities, as defined in s. 196.01 (12), 2011 stats ~~that~~
7 support telecommunications service, as defined in s. 182.017 (1g)(cq), that is provided
8 by a telecommunication ^s provider, as defined in s. 196.01 (8p). " .
9

(END)

. Page 11, line 14: before "(g)" insert "(f)".

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

p1
LRBa1653/sdn
MGG:.....

Date

Matt:

Ex ✓
The treatment of s. 101.862 (4) (f) in this amendment is based on language recommended by our utilities drafter, Mark Kunkel. Note that "telecommunication service" is defined in s. 182.017 (1g) (cq) to include voice, data, or information. However, "telecommunications provider" is defined in s. 196.01 (8p) to be limited to voice communication. As a result, the exemption in s. 101.862 (4) (f), as amended above, would only apply to a person who provides voice communication service, but such a person would be covered under the exemption for working on facilities that support voice, data, or information service. If this language does not achieve what is intended by the amendment, please contact me or Mark. ✓

Also, for your information, note that the text of s. 101.862 (4) (f) has been amended in 2013 Wisconsin Act 125, which was just signed by the governor. That act repeals s. 196.01 (12) and adds a reference to 2011 stats. in s. 101.862 (4) (f).

Mary Gibson-Glass
Senior Legislative Attorney
Phone: (608) 267-3215
E-mail: mary.gibson-glass@legis.wisconsin.gov

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa1653/P1dn
MGG:kjfrs

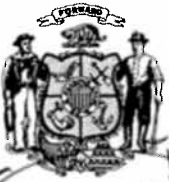
February 7, 2014

Matt:

The treatment of s. 101.862 (4) (f) in this amendment is based on language recommended by our utilities drafter, Mark Kunkel. Note that "telecommunications service" is defined in s. 182.017 (1g) (cq) to include voice, data, or information. However, "telecommunications provider" is defined in s. 196.01 (8p) to be limited to voice communication. As a result, the exemption in s. 101.862 (4) (f), as amended above, would only apply to a person who provides voice communication service, but such a person would be covered under the exemption for working on facilities that support voice, data, or information service. If this language does not achieve what is intended by the amendment, please contact me or Mark.

Also, for your information, note that the text of s. 101.862 (4) (f) has been amended in 2013 Wisconsin Act 125, which was just signed by the governor. That act repeals s. 196.01 (12) and adds a reference to 2011 stats., in s. 101.862 (4) (f).

Mary Gibson-Glass
Senior Legislative Attorney
Phone: (608) 267-3215
E-mail: mary.gibson-glass@legis.wisconsin.gov



State of Wisconsin
2013 - 2014 LEGISLATURE



LRBa1653/P1
MGG&MDK:kjf:rs

RHR

no change

Today by 2 pm

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT ,

TO ASSEMBLY BILL 683

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 6, line 22: after that line insert:

3 “**SECTION 12m.** 101.862 (4) (f) of the statutes, as affected by 2013 Wisconsin Act
4 125, is amended to read:

5 101.862 (4) (f) A person engaged in installing, repairing, or maintaining
6 electrical wiring of ~~transmission facilities, as defined in s. 196.01 (12), 2011 stats.~~
7 that support telecommunications service, as defined in s. 182.017 (1g) (cq), that is
8 provided by a telecommunications provider, as defined in s. 196.01 (8p).”.

9 **2.** Page 11, line 14: before “(g)” insert “(f).”.

10 (END)